

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ZUMBA FITNESS, LLC, a Florida
Limited Liability Company,

Plaintiff,

vs.

RENEE ETHERIDGE, an Individual, et
al.,

Defendants.

Case No.: CV11-05356 PA (VBKx)

**PERMANENT
INJUNCTION AGAINST
DEFENDANT RENEE
ETHERIDGE**

The Court, pursuant to the Stipulation for Entry of Permanent Injunction (“Stipulation”), between Plaintiff ZUMBA FITNESS, LLC (“Plaintiff”), on the one hand, and Defendant RENEE ETHERIDGE (“Defendant”), on the other hand, hereby ORDERS, ADJUDICATES and DECREES that a permanent injunction shall be and hereby is entered in the above-referenced matter as follows:

1 1. **PERMANENT INJUNCTION.** Defendant and any person or entity
2 acting in concert with, or at the direction of her, including any and all agents,
3 servants, employees, partners, assignees, distributors, suppliers, resellers and any
4 others over which she may exercise control, are hereby restrained and enjoined,
5 pursuant to 15 U.S.C. §1116, from engaging in, directly or indirectly, or
6 authorizing or assisting any third party to engage in, any of the following activities
7 in the United States and throughout the world:

8 a. copying, manufacturing, importing, exporting, marketing,
9 selling, offering for sale, distributing or dealing in any product or service that uses,
10 or otherwise making any use of, any of Plaintiff's Zumba® and Zumba Fitness®
11 copyrights, trademarks, and/or any intellectual property that is confusingly or
12 substantially similar to, or that constitutes a colorable imitation of, any of
13 Plaintiff's Zumba® and Zumba Fitness® copyrights and trademarks, whether such
14 use is as, on, in or in connection with any copyright, trademark, service mark, trade
15 name, logo, design, Internet use, website, domain name, metatags, advertising,
16 promotions, solicitations, commercial exploitation, television, web-based or any
17 other program, or any product or service, or otherwise;

18 b. performing or allowing others employed by or representing her,
19 or under her control, to perform any act or thing which is likely to injure Plaintiff,
20 any of Plaintiff's Zumba® and Zumba Fitness® copyrights and trademarks, and/or
21 Plaintiff's business reputation or goodwill;

22 c. engaging in any acts of federal and/or state copyright
23 infringement, trademark infringement, false designation of origin, unfair
24 competition, dilution, or other act which would tend damage or injure Plaintiff;
25 and/or

26 d. using any Internet domain name or website that includes any
27 Plaintiff's trademarks, including the Zumba® and Zumba Fitness® marks.

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1 2. Defendant is ordered to deliver immediately for destruction all
2 unauthorized products, including counterfeit Zumba® and Zumba Fitness®
3 products and related products, labels, signs, prints, packages, wrappers, receptacles
4 and advertisements relating thereto in his possession or under his control bearing
5 any of Plaintiff's intellectual property or any simulation, reproduction, counterfeit,
6 copy or colorable imitations thereof, and all plates, molds, heat transfers, screens,
7 matrices and other means of making the same, to the extent that any of these items
8 are in Defendant's possession.

9 3. This Permanent Injunction shall be deemed to have been served upon
10 Defendant at the time of its execution by the Court.

11 4. The Court finds there is no just reason for delay in entering this
12 Permanent Injunction and, pursuant to Rule 54(a) of the *Federal Rules of Civil*
13 *Procedure*, the Court directs immediate entry of this Permanent Injunction against
14 Defendant.

15 5. **NO APPEALS AND CONTINUING JURISDICTION.** No
16 appeals shall be taken from this Permanent Injunction, and the parties waive all
17 rights to appeal. This Court expressly retains jurisdiction over this matter to
18 enforce any violation of the terms of this Permanent Injunction.

19 6. **NO FEES AND COSTS.** Each party shall bear its own attorneys'
20 fees and costs incurred in this matter.

21 IT IS SO ORDERED, ADJUDICATED and DECREED this 7th day of
22 October, 2011.

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24 
25 HON. PERCY ANDERSON
26 United States District Judge for the Central
27 District of California
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